

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) CRIMINAL NO. 03-10392-RCL
 v.)
)
 MATTHEW VICKERS)

SECOND ASSENTED-TO MOTION TO EXCLUDE TIME UNDER
SPEEDY TRIAL ACT

The government respectfully moves that this Court exclude from the calculation of the time within which the defendant must be brought to trial under the Speedy Trial Act, 18 U.S.C. § 3161, et seq. ("STA"), the period between May 26, 2004 and the final status conference on June 30, 2004. As grounds therefor, the United States states that counsel for the defendant intends imminently to file a suppression motion in the matter styled United States v. Matthew Vickers, Crim. No. 04-10027-PBS, and that the disposition of the motion in that case may obviate the need to file such a motion in the instant matter. Accordingly, continuing the matter to June 30, 2004 will potentially conserve the resources of the parties and the Court, and thus, consistent with 18 U.S.C. §3161(h)(8)(A), the ends of justice served by continuing the matter for such purpose outweigh the best interest of the public and the defendant in a speedy trial.

Counsel for the defendant has assented to the exclusion of said period for purposes of the STA.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Robert E. Richardson
ROBERT E. RICHARDSON
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Suffolk, ss.:

Boston, Massachusetts

May 25, 2004

I, Robert E. Richardson, hereby certify that I caused a true and correct copy of the foregoing to be served by electronic filing this date on Timothy Watkins, Esq., Federal Defender Office, 408 Atlantic Avenue, 3rd Floor, Boston, MA 02210, counsel for the defendant Matthew Vickers.

/s/ Robert E. Richardson
ROBERT E. RICHARDSON